



06/03/97

DECLARATION  
AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. underneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

## METHODS OF TREATING DISEASE USING SERTOLI CELLS AND ALLOGRAFTS OR XENOGRAFTS

and for which a patent application:

☐ is attached hereto and includes amendment(s) filed on \_\_\_\_\_ (if applicable)☒ was filed in the United States on November 8, 1996 as Application Serial No. 08/747,122 (for declaration not accompanying application)

with amendment(s) filed on \_\_\_\_\_ (if applicable)

☐ was filed as PCT international application Serial No. \_\_\_\_\_ on \_\_\_\_\_ and was amended under PCT Article 19 on \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION			
APPLICATION NUMBER	COUNTRY	DATE OF FILING (day, month, year)	PRIORITY CLAIMED
			YES <input type="checkbox"/> NO <input type="checkbox"/>
			YES <input type="checkbox"/> NO <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

APPLICATION NUMBER	FILING DATE

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NO.	FILING DATE	STATUS		
		PATENTED	PENDING	ABANDONED
08/211,695	April 13, 1994		X	

POWER OF ATTORNEY: As a named inventor, I hereby appoint S. Leslie Misrock (Reg. No. 18872), Harry C. Jones, III (Reg. No. 20280), Berj A. Terzian (Reg. No. 20060), Gerald J. Flintoft (Reg. No. 20823), David Weild, III (Reg. No. 21094), Jonathan A. Marshall (Reg. No. 24614), Barry D. Rein (Reg. No. 22411), Stanton T. Lawrence, III (Reg. No. 25736), Isaac Jarkovsky (Reg. No. 22713), Joseph V. Colaianni (Reg. No. 20019), Charles E. McKenney (Reg. No. 22795), Philip T. Shannon (Reg. No. 24278), Francis E. Morris (Reg. No. 24615), Charles E. Miller (Reg. No. 24576), Gidon D. Stern (Reg. No. 27469), John J. Lauter, Jr. (Reg. No. 27814), Brian M. Poissant (Reg. No. 28462), Brian D. Coggio (Reg. No. 27624), Rory J. Radding (Reg. No. 28749), Stephen J. Harbulak (Reg. No. 29166), Donald J. Goodell (Reg. No. 19766), James N. Palik (Reg. No. 25510), Thomas E. Friebe (Reg. No. 29258), Laura A. Coruzzi (Reg. No. 30742), Jennifer Gordon (Reg. No. 30753), Jon R. Stark (Reg. No. 30111), Allan A. Fanucci (Reg. No. 30256), Geraldine F. Baldwin (Reg. No. 31232), Victor N. Balancia (Reg. No. 31231), Albert P. Halluin (Reg. No. 25227), Samuel B. Abrams (Reg. No. 30605), Steven I. Wallach (Reg. No. 35402), Marcia H. Sundeen (Reg. No. 30893), Paul J. Zegger (Reg. No. 33821), Edmond R. Bannon (Reg. No. 32110), Bruce J. Barker (Reg. No. 33291), Adriane M. Antler (Reg. No. 32605), Ann L. Gisolfi (Reg. No. 31956), SaraLynn Mandel (Reg. No. 31853), Mark A. Farley (Reg. No. 33170), James G. Markey (Reg. No. 31636), and Charles F. Hoyng (Reg. No. 35548), all of Pennie & Edmonds LLP, whose addresses are 1155 Avenue of the Americas, New York, New York 10036, 1667 K Street N.W., Washington, DC 20006 and 2730 Sand Hill Road, Menlo Park, CA 94025, and each of them, my attorneys, to prosecute this application, and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO: PENNIE & EDMONDS  
1155 AVENUE OF THE AMERICAS  
NEW YORK, N.Y. 10036-2711

DIRECT TELEPHONE CALLS TO:  
PENNIE & EDMONDS DOCKETING  
(212) 790-2803

201	FULL NAME OF INVENTOR	LAST NAME Selawry	FIRST NAME Helena 1-00	MIDDLE NAME P.
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	RESIDENCE & CITIZENSHIP	CITY Lutz FL	STATE OR FOREIGN COUNTRY Florida	COUNTRY OF CITIZENSHIP U.S.A.
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203	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
204	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
205	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE
206	FULL NAME OF INVENTOR	LAST NAME	FIRST NAME	MIDDLE NAME
	RESIDENCE & CITIZENSHIP	CITY	STATE OR FOREIGN COUNTRY	COUNTRY OF CITIZENSHIP
	POST OFFICE ADDRESS	STREET	CITY	STATE OR COUNTRY ZIP CODE

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201	SIGNATURE OF INVENTOR 202 <i>Don Cameron</i>	SIGNATURE OF INVENTOR 203
DATE	DATE 5/9/97	DATE
SIGNATURE OF INVENTOR 204	SIGNATURE OF INVENTOR 205	SIGNATURE OF INVENTOR 206
DATE	DATE	DATE



06/03/97

#3

HAND DELIVERY

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Cameron et al.

Application No.: 08/747,122      Group Art Unit: 1811  
Filed: November 8, 1996      Examiner: To Be Assigned  
For: METHODS OF TREATING      Attorney Docket No.: 8661-009  
     DISEASE USING SERTOLI  
     CELLS AND ALLOGRAFTS OR  
     XENOGRAFTS

DECLARATION OF CARMELLA L. STEPHENS  
UNDER 37 C.F.R. §1.47(a)

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

I, Carmella L. Stephens, do declare that:

1. I make this Declaration in support of a Petition Under 37 C.F.R. §1.47(a) filed in connection with the above-identified application concurrently herewith, and pursuant to Section 409.03(d) of the Manual of Patent Examining Procedure, in order to relate the circumstances under which one of the inventors of the above-identified application, Dr. <sup>1-00</sup> Helena P. Selawry, whose last known home address is 386 Beahm Lane, <sup>✓A</sup> Rileyville, Virginia 22650, refused to sign a Declaration and <sup>2-00</sup> Power of Attorney for the application. Co-inventor Dr. Don Cameron did execute such Declaration and Power of Attorney.

2. I am associated with the firm of Pennie & Edmonds LLP and am based in its New York office.

3. On May 15, 1997, I forwarded a Declaration and Power of Attorney for the application, together with a copy of the application as filed and a cover letter, to Dr. Selawry via Certified Mail requesting her signature on the Declaration. The cover letter indicated that the executed Declaration and Power of Attorney should be returned to me for filing on or before May 22, 1997 (copy of the cover letter is attached hereto as Exhibit A).

4. On May 17, 1997, Dr. Selawry signed the certified mail return receipt indicating delivery of the Declaration and Power of Attorney together with a copy of the Application as filed. The return receipt was mailed back to me (a copy of the return receipt for certified mail is attached hereto as Exhibit B).

5. As of June 2, 1997, I have not yet received back the executed Declaration and Power of Attorney. Upon receiving no response to date, I conclude that Dr. Selawry refuses to execute the Declaration and Power of Attorney.

6. I declare further that all statements made in this Declaration are of my knowledge and are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such

willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date June 2, 1997

Carmella L. Stephens  
Carmella L. Stephens